

RESOLUTION NO. 03-301

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING **RED FOX FROM THE SOUTH LINE OF WESTLAKE PARKWAY TO THE SOUTH LINE OF SILVER HOLLOW; SILVER HOLLOW FROM THE EAST LINE OF RED FOX CIRCLE TO THE EAST LINE OF LOT 106, BLOCK 4; AND SILVER HOLLOW COURT FROM THE SOUTH LINE OF SILVER HOLLOW TO AND INCLUDING THE CUL-DE-SAC SERVING LOTS 97 THROUGH 106, BLOCK 4, (NORTH OF 29TH STREET NORTH, BETWEEN MAIZE AND TYLER) 472-83786**, IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF IMPROVING **RED FOX FROM THE SOUTH LINE OF WESTLAKE PARKWAY TO THE SOUTH LINE OF SILVER HOLLOW; SILVER HOLLOW FROM THE EAST LINE OF RED FOX CIRCLE TO THE EAST LINE OF LOT 106, BLOCK 4; AND SILVER HOLLOW COURT FROM THE SOUTH LINE OF SILVER HOLLOW TO AND INCLUDING THE CUL-DE-SAC SERVING LOTS 97 THROUGH 106, BLOCK 4, (NORTH OF 29TH STREET NORTH, BETWEEN MAIZE AND TYLER) 472-83786**, IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to improve **Red Fox from the south line of Westlake Parkway to the south line of Silver Hollow; Silver Hollow from the east line of Red Fox Circle to the east line of Lot 106, Block 4; and Silver Hollow Court from the south line of Silver Hollow to and including the cul-de-sac serving Lots 97 through 106, Block 4, (north of 29th Street North, between Maize and Tyler) 472-83786.**

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be **Two Hundred Ninety-Three Thousand Dollars (\$293,000.00)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **June 1, 2003**, exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

FOX RIDGE ADDITION

Lots 77 through 106, Block 4;

Lots 1 through 11, Block 5;

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis:

Lots 77 through 82, Block 4; Lots 97 through 106, Block 4; and Lots 1 through 11, Block 5; all within Fox Ridge Addition shall each pay 317/10,000 of the total cost payable by the improvement district. Lot 83, Block 4; within Fox Ridge Addition shall pay 102/10,000 of the total cost payable by the improvement district. Lots 84 through 96, Block 4; within Fox Ridge Addition shall each pay 103/10,000 of the total cost payable by the improvement district.

Except when driveways are requested to serve a particular tract, lot, or parcel and shall be in addition to the assessment for other improvements. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 1980 Supp. 12-6a01 et seq.

SECTION 8. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, June 10, 2003.

CARLOS MAYANS, MAYOR

ATTEST:

PAT GRAVES, CITY CLERK

(SEAL)